

1
2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 JOHN GARRETT SMITH,

7 Plaintiff,

8 v.

9 WASHINGTON STATE
10 DEPARTMENT OF CORRECTIONS,
11 et al.,

Defendants.

C21-5271 TSZ-JRC

MINUTE ORDER

12 The following Minute Order is made by direction of the Court, the Honorable
13 Thomas S. Zilly, United States District Judge:

14 (1) Having reviewed the unopposed Report and Recommendation (“R&R”) of
15 Chief Magistrate Judge J. Richard Creatura, docket no. 6, and the remaining record, the
16 Court ADOPTS the R&R;

17 (2) Plaintiff John Garrett Smith’s motion to proceed in forma pauperis, docket
18 no. 4, is DENIED. Plaintiff is ORDERED to pay the \$402 filing fee pursuant to 28
19 U.S.C. § 1914(a) and Local Civil Rule 3(b) within thirty (30) days of the date of this
20 Order if he wishes to proceed with this lawsuit. If plaintiff does not pay the filing fee,
21 this case will be dismissed without prejudice; and

22 (3) The Clerk is directed to send a copy of this Minute Order to pro se plaintiff,
23 all counsel of record, and the Honorable J. Richard Creatura.

Dated this 23rd day of June, 2021.

21 William M. McCool
Clerk

22 s/Gail Glass
23 Deputy Clerk